

DEPOSITION OF CAPTAIN HEINER POPP
CONDUCTED ON THURSDAY, OCTOBER 6, 2005

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1 happened. I really didn't talk to anybody, I just
2 went on deck, looked at the crane, went up on the
3 crane, went into the crane cab, looked at the accident
4 site, took pictures of the accident site, took
5 measurements.

6 Q I think the best thing for us to do at this
7 point, Captain, is for me to look at your August 2000
8 report, which I presume would have reported your
9 activities on that day?

10 A Yes.

11 MR. WHITMAN: You have in front of you the
12 August 3 report.

13 MR. ASPERGER: Correct.

14 MR. WHITMAN: Which we have provided to you.

15 MR. ASPERGER: Yes.

16 MR. WHITMAN: You have brought with you the
17 October 15 report.

18 MR. ASPERGER: Yes.

19 MR. WHITMAN: Which I've copied for
20 everybody. Captain Popp, when he was asked to search
21 for his file, could not find his file, found a CD on
22 which he had loaded, I gather, or printed out what had

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EXHIBIT

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1 been on his computer, and he provided to me yesterday
2 this document, which is not on his letterhead, which
3 is dated August 9, which appears to have additional
4 observations beyond that in the August 3 report. We
5 have searched our files and we have not found the
6 August 9 report.

7 BY MR. ASPERGER:

8 Q Go ahead.

9 A The second page is August 14th. So. . .

10 Q Yes.

11 A Right?

12 Q Umh-humh.

13 A So basically the August 9 report was a
14 report that was made up at the time, which was an
15 updated on the August the 14th. The computer
16 automatically wrote the date in.

17 Q Thank you for that explanation.

18 A But I did not change the date on the front
19 page.

20 Q Why don't we do this. Why don't we take a
21 few minutes and you can relax, because I haven't seen
22 either of these reports, and I'll look through them,